



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN STREET
CHICAGO, IL 60604

Yellow
E/L
05/16/92

June 16, 1992



REPLY TO THE ATTENTION OF:

CS-3T

Mr. Donald Hull
c/o Mr. Charles Barbieri, Esq.
Foster, Swift, et al.
313 S. Washington
Lansing, Michigan

**RE: Sworn Statement
In Re Albion-Sheridan Township Landfill Site**

Dear Mr. Hull:

First, I would like to thank you for your cooperation with respect to your deposition taken by U.S. EPA on June 6, 1992. As we discussed during a break off the record during your deposition, the questions asked may have seemed repetitious of those asked by Paul Rogers of EPA. However, the formal nature of your sworn statement is more useful to the Agency than hand written notes by an Agency employee.

Secondly, I would like to clarify U.S. EPA's position regarding your connection with the Albion-Sheridan Township Landfill site ("Site"). Based on information currently available to the Agency, U.S. EPA does not presently consider you a potentially responsible party ("PRP") to the Site. Furthermore, the Agency does not anticipate that it will ever consider you a PRP to the Site. While you testified that you transported material from McGraw Edison to the landfill, EPA believes that since McGraw Edison selected the disposal site, you may not be held liable as a "transporter" under the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended.

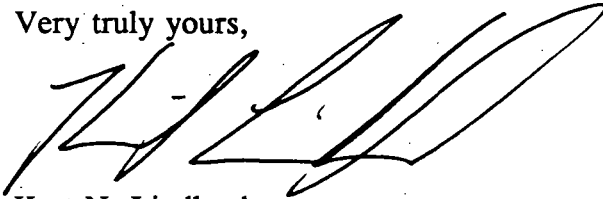
The reason EPA is presently interested in your statement regarding disposal practices at the Site, and your connection with the Site generally, is solely for purposes of determining the liability of others; primarily generators of hazardous material that was disposed at the Site. For that reason, you may be called upon to testify to those and other facts in a court of law in the future. Again, I would like to emphasize that, based on information currently available to the Agency, EPA neither presently considers, nor anticipates considering you a liable party to the Site.



Finally, due to the important nature of this matter, including your knowledge of generators, I request that you call me, collect call in necessary, at (312) 886-7152 if you can think of any other relevant information regarding the Site, or generators of hazardous waste disposed at the Site. Also, please call me if you are contacted by anyone regarding the Albion-Sheridan Township Landfill, with the exception of your attorney, Charles Barbieri, or other member of his firm.

If you have any questions regarding this matter, do not hesitate to call me at the above number. Thank you again for your cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Lindland', with a large, sweeping loop at the end.

Kurt N. Lindland
Assistant Regional Counsel

bcc: Novy/HSRW-6J